

## RECEIVED

MAD U 9 1999

TECHNOLOGY CENTER 370 PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicati	on of:	)	
S.D. AUGUS	ΓINE ET AL.	) ) `	Group Art Unit: 3304
Serial No.:	08/419,719	) )	
Filed:	April 10, 1995	) )	Examiner: M. Graham
For: THER	MAL BLANKET	,	

Assistant Commissioner for Patents Washington, D.C., 20231

ATTN: Mark Graham

Sir:

## **COMMUNICATION**

On June 2, 1997, a Notice (Paper No. 19) was mailed from the Office of Patent Publication to the undersigned. A copy of the paper is attached. The purpose of the Paper was to give notice that the subject patent application was withdrawn from issue by the Office for the purpose of reopening prosecution. The Notice indicated the application was being returned to the Office of the Director of Group 3300. Since the June 2, 1997 Notice, we have received no further communication from the Patent Office regarding this matter.

On May 21, 1997, a Rule 60 Continuation was filed in this application. A copy of the Continuation Request is also attached. The Official Filing Receipt for this Continuation, copy attached, indicated that the subject application, Serial No. 08/419,719 had been abandoned. As evidenced by the Continuation Request, no abandonment was requested.

The undersigned respectfully requests information as to the status of this application and the location of its file.

Respectfully submitted,

Date: 🛴

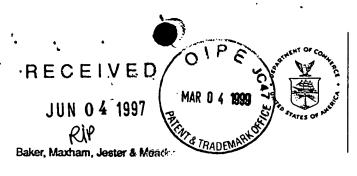
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ΓERRANCE A. MEADOR

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## UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231

Paper No.19

TERRANCE A. MEADOR SYMPHONY TOWERS 750 "B" STREET, SUITE 3100 SAN DIEGO, CALIFORNIA 92101

BAKER, MAXHAM, JESTER & MEADOR

In re Application of Scott D. Augustine, et al. Application No. 08/419,719 Filed: April 10, 1995 Attorney Docket No. 1342-119 COPY MAILED

JUN 02 1997

OFFICE OF PATENT PUBLICATION

NOTICE

The purpose of this communication is to inform you that the above - identified application, which has received a patent number or an issue date, is being withdrawn from issue pursuant to 37 CFR 1.313.

The application is being withdrawn for the following purpose: to reopen prosecution. This withdrawal was requested by the Group Director. Any questions concerning this withdrawal should be addressed to the Group Director.

This application is being returned to the Office of the Director of Group 3300.

Telephone inquiries concerning this matter may be directed to the undersigned at (703) 308-5254.

Karna Cooper

Paralegal Specialist

Office of the Director

Office of Patent Publication

DOCKETED

(2.92)REQUEST FORM FOR FILING A PATENT APPLICATION UNDER 37 CFR 1.60 DATE: May 21, 1997 MAR 0 4 1999 ANTICIPATED CLASSIFICATION ART UNIT **DOCKET NUMBER** OF THIS APPLICATION PRIOR APPLICATION EXAMINER SUBCLASS: M. Graham 1342-188 Address to: MAD U 9 1999 ASSISTANT COMMISSIONER FOR PATENTS Washington, D.C. 20231 TECHNOLOGY CENTER 3700 This is a Request for filing a X continuation divisional application under 37 CFR 1.60, of pending application Number 08/419,719, filed on April 10, 1995 entitled THERMAL BLANKET Enclosed is a copy of the latest inventor-signed prior application, including a copy of the oath or declaration showing the original signature or an a 1. indication it was signed. I hereby verify that the papers are a true copy of the latest signed prior application number 08/419,719, and further that all statements made herein of my own knowledge are true; and further that these statements were made with the knowledge that willful false statements and the like are made punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issuing thereon. (2) NUMBER FILED (3) NUMBER EXTRA (4) RATE (5) CALCULATIONS (1) FOR **CLAIMS** \$ 110.00 TOTAL CLAIMS 25 - 20 -5 x \$ 22.00 x \$ 80.00 -8 - 3 = 5 \$ 400.00 INDEPENDENT CLAIMS MULTIPLE DEPENDENT CLAIMS (if applicable) + \$ 260.00 = **BASIC FEE** \$ 770.00 BAR Elemen Total of above Calculations = \$ 1,280.00 Reduction by 50% for filing a Small Entity (Note 37 CFR 1.9, 1.27, 1.28). TOTAL \$ 640.00 2. X A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 X is enclosed. X was filed in prior application number 08/419,719 and such status is still proper and desired (37 CFR 1.28(a)). X The Commissioner is hereby authorized to charge any fees which may be required under 37 CFR 1.16 and 1.17, or credit any overpayment to Deposit Account No. <u>02-0460</u>. A duplicate copy of this sheet is enclosed. 4. X A check in the amount of \$ 640.00 is enclosed.

\_\_\_\_ of the prior application before calculating the filing fee. (At least \_\_\_\_ Cancel in this application original claims one original independent claim must be retained for filing purposes.)

- 6. X Amend the specification by inserting before the first line the sentence: "This application is a continuation of application number 08/419,719, filed April 10, 1995, which is."
- 7. Transfer the drawings from the pending prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application. (May only be used if signed by person authorized by 37 CFR 1.138 and before payment of issue fee.)
- 8. X New formal drawings are enclosed (5 Sheets).

(2.92)

[Page 1 of 2]

Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

REQUE	EST FORM FOR FILMIG A PATENT APPLICATION U	NDER 37 CFR 1.60, Page 2)	DOCKET NO.: 1342-188
	MAR 0 4 1999		
)	Priority of foreign application number	d on	
0	A preliminary amendment is enclosed.		
1. <u>X</u>	The prior application is assigned of record to AUGUSTINE MED	DICAL, INC.	
2. <u>X</u>	Also enclosed: (7) Information Disclosure Statements & PTO I	Form 1449's from the parent case Seria	No. 08419,719, filed April 10, 199
3. <u>X</u>	The power of attorney in the prior application is to: (named & a	address):	
	Terrance A. Meador, #30,298 BAKER, MAXHAM, JESTER & MEADOR 110 West "C" Street, Suite 1202 San Diego, California 92101		
b.	The power of attorney appears in the original papers in Since the power does not appear in the original papers, a X Address all future correspondence to: (May only be comp	copy of the power in the prior applicat	
	Terrance A. Meador, #30,298 BAKER, MAXHAM, JESTER & MEADOR Symphony Towers 750 "B" Street, Suite 3100 San Diego, California 92101	;	
QI /	Nay 1997	Tename of Signature	Mead
X Att	ventor(s) ssignee of complete interest torney or agent of record ed under 37 CFR 1.34(a) Registration number if action under 37 CFR 1.34(a)	TERRANCE A. MEADOR, #30,2 Typed or printed name (& registr	

filing recept



United States Cartment of Commerce Potent and Tradomark Office Assistant secretary and Commissioner Of Patents and Trademarks Washington, D.C. 20231

08/859,891 05/21/97 3311 \$640.00 1342-188 5 25 8	APPLICATION NUMBER PAINS	DATE STAP ART UNIT	FIL FEE REC'D	Attorney docket no.	DRWGS	TOT CL	IND CL
	08/859,891 05/21	/97 3311	\$640.00	1342-188	3	25	8

TERRANCE A. MEADOR BAKER MAXHAM JESTER & MEADOR SYMPHONY TOWERS 750 °B° STREET, SUITE 3100 SAN DIEGO CA 92101

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be ours to provide the U.S. APPLICATION MUNISER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are outsided to collection. Flagge verify the occurrey of the date presented on this receipt. If an error is noted on this Filing Receipt, places with the the Application Prescoring Division's Contented to this Filing Receipt with the sharpes rated thereon.

Applicant(s)

SCOTT D. AUGUSTINE, BLOOMINGTON, MN; RANDALL C. ARNOLD, MAPLEWOOD, MN.

CONTINUING DATA AS CLAIMED BY APPLICANT-

THIS APPLN IS A CON OF 08/419,719 04/10/95 ABN
WHICH IS A CIP OF 07/550,757 07/10/90
WHICH IS A CIP OF 07/227,189 08/02/88
WHICH IS A CIP OF 07/104,682 10/05/87 ABN

FOREIGN FILING LICENSE GRANTED 10/14/97

: SMALL ENTITY \*

THERMAL BLANKET

PRELIMINARY CLASS: 607

DOCKETED

OCT 2 0 1997

FILE #-13421188/



Approved for use through 09/30/2000. omb 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information inless it displace availd OMB control number. **Application Number** 08/419,719 04/10/95 Filing Date First Named Inventor Augustine et al

all correspondence after initial filing) **Examiner Name** Graham TECHNOLOGY CENTER 3700 3304 Group Art Unit AUGA01000010 Total Number of Pages in This Submission Attorney Docket Number

ENCLOSURES (check all that apply)				
Fee Transmittal Form  Fee Attached Amendment/Response After Final Extension of Time Request Express Abandonment Request Information Disclosure Statement PTO Form 1449 (no.) cited references Certified Copy of Priority Document(s)	<ul> <li>Assignment Papers (for an Application)</li> <li>Drawing(s)</li> <li>Licensing-related Papers</li> <li>Petition Checklist and Accompanying Petition</li> <li>To Convert a Provisional Application</li> <li>Power of Attorney, Revocation</li> <li>Change of Correspondence Address</li> <li>Terminal Disclaimer</li> </ul>	After Allowance Communication to Group  Appeal Communication to Board of Appeals and Interferences  Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  Proprietary Information  Status Letter  X Additional Enclosure(s) (please identify below):  POSTCARD		
Response to Missing Parts/ Incomplete Application  PTO Form 1533  Response to Missing Parts Under 37 CFR 1.52 or 1.53  COMMUNICATION				
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT  Firm or Reg. No. 30,298 Individual Name GRAY CARY WARE & FREIDENRICH  Signature Date IMAM 1999				
CERTIFICATE OF MAILING				
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:				
Typed or printed name Terrance A. Meador				
Signature Tenanco A Meldon Date March 1999				